

APPEAL NO. 031899
FILED SEPTEMBER 2, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on May 21, 2003. The hearing officer determined that: (1) the appellant (claimant) did not sustain a compensable injury on _____; (2) the respondent (carrier) is relieved from liability under Section 409.002 because the claimant failed to timely notify his employer of an injury, without good cause, in accordance with Section 409.001; (3) the carrier did not waive the right to contest the compensability of the claimed injury pursuant to Section 409.021; and (4) the claimant did not have disability. The claimant appeals these determinations on sufficiency of the evidence grounds. The carrier urges affirmance.

DECISION

Affirmed.

We have reviewed the complained-of determinations and conclude that the issues involved questions of fact for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The decision and order of the hearing officer is affirmed.

The true corporate name of the insurance carrier is **ZURICH AMERICAN INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**GARY SUDOL
9330 LBJ FREEWAY, SUITE 1200
DALLAS, TEXAS 75243.**

Edward Vilano
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Michael B. McShane
Appeals Panel
Manager/Judge